

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

IN RE: **Camp El Camino Pines Water System**
 Water System No. 1502073

TO: Glen Egertson, Camp Director
 Camp El Camino Pines
 11900 Frontier Road
 Frazier Park, CA 93225

BY REGISTERED MAIL

**CITATION FOR NONCOMPLIANCE -- Water System No. 1502073
TOTAL COLIFORM MCL VIOLATION – April 2012
Citation No. 03-19-13C-022**

Issued on January 8, 2013

STATEMENT OF FACTS

Camp El Camino Pines Water System (hereinafter Water System) is classified as a transient non-community water system and serves a population of approximately two hundred (200) persons through one (1) service connection. The Water System has one (1) active source of supply, Well 02 (PS Code: 1502073-002 and two (2) 10,000 gallon storage tanks. No treatment is provided to the well water. The Water System operates under the authority of a domestic water supply permit No. 03-12-99P-018, issued on September 30, 1999, by the State Department of Health Services (now California Department of Public Health).

The Southern California Drinking Water Field Operations Branch, Division of Drinking Water and Environmental Management, California Department of Public

1 Health (hereinafter "Department") is responsible for enforcing the Safe Drinking
2 Water Act and regulations promulgated pursuant thereto.

- 3
- 4 • The Water System is required to collect one (1) routine bacteriological sample
5 per quarter. Please refer to the Water System's approved Bacteriological
6 Sample Siting Plan (BSSP) or Table 64423-A.
 - 7 • One (1) routine bacteriological quality sample collected from the distribution
8 system on March 6, 2012, tested positive for total coliform bacteria.
 - 9 • All three (3) repeat bacteriological quality samples collected on March 9, 2012,
10 from the distribution system tested negative for total coliform bacteria.
 - 11 • One (1) repeat sample collected from Well 02 on March 9, 2012 (also counted
12 towards Ground Water Rule trigger source sample), tested negative for total
13 coliform bacteria.
 - 14 • None of the bacteriological quality samples collected in March 2012, from the
15 distribution system or the system well tested positive for *E.coli* bacteria.
 - 16 • The Water System did not fail the total coliform maximum contaminant level
17 (MCL) for March 2012.
 - 18 • Due to one (1) total coliform positive sample from March 2012, the Water
19 System was required to collect five (5) routine samples in April 2012.
 - 20 • Two (2) out of five (5) routine bacteriological quality samples collected on
21 April 3, 2012, from the distribution system, tested positive for total coliform
22 bacteria.
 - 23 • All three (3) repeat bacteriological quality samples collected from the
24 distribution system on April 5, 2012, tested negative for total coliform bacteria.
- 25
26
27

- 1 • One (1) repeat sample collected from Well 02 on April 5, 2012 (also counted
2 towards Ground Water Rule trigger source sample), tested negative for total
3 coliform bacteria.
- 4 • None of the bacteriological quality samples collected in April 2012, from the
5 distribution system or the system well tested positive for *E.coli* bacteria.
- 6 • **Camp El Camino Pines Water System failed the total coliform MCL for**
7 **April 2012 [Section 64426.1(b)(2), *Authorities*].**
- 8 • On April 6, 2012, Charlie Howell, the Water System's contract sampler from
9 Seaco Technologies, Inc. notified the Department that the Water System failed
10 the total coliform MCL for April 2012.
- 11 • On May 3, 2012, a public notice and Proof of Notification were emailed to the
12 Water System for the April 2012 total coliform MCL failure.
- 13 • On May 3, 2012, the Department received signed and dated copies of the
14 public notice and Proof of Notification. According to these documents, public
15 notification was completed on May 3, 2012.
- 16 • On May 3, 2012, an investigation report was emailed to the Water System for
17 the April 2012 total coliform MCL failure.
- 18 • On May 17, 2012, the Department received a completed copy of the
19 investigation report in response to the April 2012 total coliform MCL failure.
20 The investigation report was completed by Seaco Technologies, Inc. on behalf
21 of the Water System.
- 22 • The investigation report indicates the possible cause of contamination as dirty
23 aerator on a sample tap in the "SHOP" and significant mainline leaks/breaks in
24 February 2012. The system storage tanks got emptied due to frozen/broken
25 mainlines and faulty pressure regulator. To clear bacteriological
26 contamination, the Water System replaced the aerator on the sample tap in the
27

1 "SHOP" and made repairs to the faulty pressure regulator valve and
 2 broken/frozen pipes. Afterwards, the Water System provided emergency
 3 disinfection treatment using chlorine and flushed the distribution system. It is
 4 noted that the Water System did not notify the Department about the
 5 operational problems in February 2012.

- 6 • Due to total coliform positive samples from April 2012, the Water System was
 7 required to collect five (5) routine samples in May 2012.
- 8 • All five (5) routine samples, collected in May 2012, from the distribution
 9 system, tested negative for total coliform bacteria.
- 10 • All routine quarterly distribution bacteriological quality samples collected from
 11 June 2012 to December 2012 have tested negative for total coliform bacteria.
- 12 • All bacteriological results collected from January 2012 to December 2012 are
 13 summarized in **Attachment A**.

14 **AUTHORITIES**

15 Section 116577 of the CHSC, states in relevant part:

16 "(a) Each public water system shall reimburse the department for the actual costs incurred by the
 17 department for any of the following enforcement activities related to that water system:

- 18 (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- 19 (2) Preparing, and issuing public notification

20 (b) The department shall submit an invoice for these enforcement costs to the public water system
 21 that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs
 22 were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and
 23 the hourly cost rate of the department. The costs set forth in the invoice shall not exceed the total actual
 24 costs to the department of the enforcement activities specified in this section."

25 Section 116650 of the California Health and Safety Code (hereinafter CHSC), states in relevant part:

26 "(a) If the department determines that a public water system is in violation of this chapter or any
 27 regulation, permit, standard, or order issued or adopted thereunder, the department may issue a citation
 to the public water system. The citation shall be served upon the public water system personally or by
 registered mail.

(b) Each citation shall be in writing and shall describe with particularity the nature of the violation,
 including a reference to the statutory provision, standard, order, or regulation alleged to have been
 violated.

(c) For continuing violations, the citation shall fix the earliest feasible time for elimination or
 correction of the condition constituting the violation where appropriate. If the public water system fails

to correct a violation within the time specified in the citation, the department may assess a civil penalty as specified in subdivision (e).

(d) For a noncontinuing violation of primary drinking standards, the department may assess in the citation a civil penalty as specified in subdivision (e).

(e) Citations issued pursuant to this section shall be classified according to the nature of the violation or the failure to comply. The department shall specify the classification in the citation and may assess civil penalties for each classification as follows:

(1) For violation of a primary drinking standard, an amount not to exceed one thousand dollars (\$1,000) per day for each day that the violation occurred, including each day that the violation continues beyond the date specified for correction in the citation or order.

(2) For failure to comply with any citation or order issued for violation of a secondary drinking water standard that the director determines may have a direct or immediate relationship to the welfare of the users, an amount not to exceed one thousand dollars (\$1,000) for each day that the violation continues beyond the date specified for correction in the citation or order.

(3) For failure to comply with any citation or order issued for noncompliance with any department regulation or order, other than a primary or secondary drinking water standard, an amount not to exceed two hundred dollars (\$200) per day for each day the violation continues beyond the date specified for correction in the citation."

Section 116655 of the CHSC, states in relevant part:

"(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the department.

(3) Directing that appropriate preventative action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(2) That purification or treatment works be installed."

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

"(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Department by the end of the business day on which this is determined, unless the determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1."

DETERMINATIONS

Based upon the above Statement of Facts and Authorities, the Department determines that the Water System has violated the following:

1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for April 2012 when more than one sample collected in April 2012 tested positive for total coliform bacteria.

The above violation is classified as a non-continuing violation.

DIRECTIVES

Camp El Camino Pines Water System is hereby directed to take the following actions:

1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code and Section 64426.1(b)(2) of Title 22, California Code of Regulations.

- 1 2. In the future, the Water System shall contacts its certified distribution operator,
2 following major operational problems such as broken/frozen water mains
3 and/or a faulty pressure regulator valve.
- 4 3. In the future, the Water System shall notify the Department of loss of pressure
5 in the distribution system or water outage, within 24 hours of the knowledge of
6 the problem.
- 7 4. In the future, the Water System shall properly disinfect and flush the
8 distribution system following water outages and/or loss of pressure below 5
9 psi. A certified distribution operator shall supervise the disinfection and
10 flushing work.
- 11
- 12 5. The Water System shall reimburse the Department, in accordance with an
13 invoice that shall be provided to the Water System, the costs for enforcement
14 activities, and such reimbursement shall be made prior to September 1 of the
15 fiscal year following the fiscal year in which such costs are incurred as
16 described in CHSC Section 116577(a)(1-2) and 116577(b).
- 17
- 18 6. Any document requested by the citation shall be submitted to the following
19 address:

20 Jaswinder S. Dhaliwal, P.E., Senior Sanitary Engineer
21 Department of Public Health
22 Southern California Branch
23 Drinking Water Field Operations
24 4925 Commerce Drive, Suite 120
25 Bakersfield, CA 93309
26 Phone: (661) 335-7315
27 Fax: (661) 335-7316

FURTHER ENFORCEMENT ACTIONS

Section 116270, Division 104, Part 12, Chapter 4 of the CHSC authorizes the Department to: issue additional citations with assessment of penalties if the public water system continues to fail to correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. The Department does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This citation shall apply to and be binding upon Camp El Camino Pines Water System its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this citation are severable, and Camp El Camino Pines Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

CIVIL PENALTY

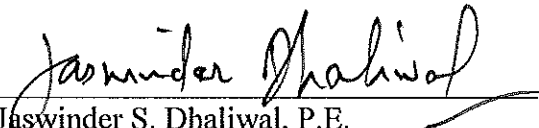
Section 116650, subsection (d) and (e) of the CHSC allow for the assessment of a civil penalty for the failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any Directive of this Citation may result in the Department imposing an administrative penalty of not less than \$200 (two hundred

dollars)for each day that the violation continues beyond the date set for correction in this Citation.

The Department does not waive any further enforcement action by issuance of this citation, and expressly reserves the right to issue a citation with penalties for the violations on which the Directives of this citation are based.

Jan. 8, 2013

Date


Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Tehachapi District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments

Attachment A: Bacteriological Summary January 2012 through December 2012

cc: Kern County Environmental Health Services Department (w/o attachments)
Charlie Howell, Seaco Technologies, Inc. (via email)

JSD/ak

Attachment A

Camp El Camino Pines

1502073

Distribution System Freq: 1/Q

<i>Sample Date</i>	<i>Time</i>	<i>Location</i>	<i>T Coll</i>	<i>E Coll</i>	<i>F Coll</i>	<i>Type</i>	<i>CI2</i>	<i>Violation</i>	<i>Comment</i>
3/6/2012	8:40	Maintenance HB	P	A		Routine			
3/9/2012	9:00	Chapel HB	A	A		Repeat			
3/9/2012	9:10	Kitchen	A	A		Repeat			
3/9/2012	9:15	Maintenance HB	A	A		Repeat			
4/3/2012	8:30	Maintenance	P	A		Routine			
4/3/2012	8:40	Chapel	P	A		Routine		MCL	Cit #03-19-13C-022 issued.
4/3/2012	8:50	Kitchen	A	A		Routine			
4/3/2012	9:00	Cabin #7	A	A		Routine			
4/3/2012	9:10	Women's Restroo	A	A		Routine			
4/5/2012	11:15	Kitchen	A	A		Repeat			
4/5/2012	11:30	Maintenance	A	A		Repeat			
4/5/2012	11:45	Chapel	A	A		Repeat			
5/3/2012	8:00	Camp El Camino	A	A		Routine			
5/3/2012	8:10	Chapel	A	A		Routine			
5/3/2012	8:20	Kitchen	A	A		Routine			
5/3/2012	8:30	Cabin #7	A	A		Routine			
5/3/2012	8:40	Women's Restroo	A	A		Routine			
6/5/2012	8:25	Chapel HB	A	A		Routine			
9/5/2012	8:45	Chapel HB	A	A		Routine			
12/4/2012	8:30	Chapel HB	A	A		Routine			

Camp El Camino Pines

1502073

Source Monitoring Freq:

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coll</i>	<i>E Coll</i>	<i>F Coll</i>	<i>Violation</i>	<i>Comment</i>
3/9/2012	9:25	Well / Repeat	A	A			
4/5/2012	11:00	Well / Repeat	A	A			
